



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,431	02/08/2002	Blair E. Nygren	019143.0349	2635
7590	04/09/2008		EXAMINER	
Samir A. Bhavsar, Esq. Baker Botts L.L.P. 6th Floor 2001 Ross Avenue Dallas, TX 75201-2980			DESHPANDE, KALYAN K	
			ART UNIT	PAPER NUMBER
			3625	
			MAIL DATE	DELIVERY MODE
			04/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/072,431	NYGREN ET AL.	
	Examiner	Art Unit	
	Kalyan K. Deshpande	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 31 October 2007.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-38 is/are pending in the application.

4a) Of the above claim(s) 19-23 is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-18 and 24-38 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/31/07.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Introduction

1. The following is a non-final office action in response to the communications received on October 31, 2007. Applicant's amendment filed October 31, 2007 amended claims 1-18 and 24-38. Claims 1-38 are now pending in this application, claims 19-23 being previously withdrawn as directed to a non-elected invention.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 31, 2007 has been entered.

Response to Amendments

3. Examiner acknowledges Applicants' amendments to claims 1, 24, and 38. Per Applicants' discussion of the previously asserted 35 U.S.C. 112 2nd paragraph rejections, Examiner withdraws the previously asserted rejections. Examiner further notes that the clarification of the rejections including the use of the terms "work assignment" and "work item" is provided below.

Response to Arguments

4. Applicants' arguments filed on October 31, 2007 have been fully considered but are not found persuasive. Applicants argues i) Northcutt fails to teach "automatically

create, in response to receiving the work information associated with at least one message determined by the dispatcher to be associated with a work assignment, a work item associated with the at least one message based at least in part upon the work information associated with the at least one message determined by the dispatcher to be associated with a work assignment, wherein the work item comprises an owner identifier" (see Remarks page 11), ii) Northcutt fails to teach "the work item comprises an owner identifier", where the work item is distinguished from a work assignment (see Remarks page 12), iii) Examiner's taking of Official Notice is improper (see Remarks page 13), iv) there is no motivation to modify Northcutt (see Remarks page 16), v) Examiner has employed impermissible hindsight reconstruction of Applicants' claims (see Remarks page 18), vi) a link "to at least one of the evaluation, the recording, and the survey" is functional (see Remarks page 19), vii) Northcutt fails to teach "work item further comprises a second link to at least one application used to perform the work assignment" (see Remarks page 22), viii) Northcutt fails to teach a "call center environment" (see Remarks page 23), and ix) Northcutt fails to teach every limitation in claim 12 and Examiner improperly read limitations from the Specifications into the claim. Applicants' reiterate the same arguments for several of the recited claims and Examiner discusses these arguments as applied to all of the claims (see Remarks page 24). Applicants' arguments regarding the previously asserted 35 U.S.C. 112 2nd paragraph

In response to Applicants' argument Northcutt fails to teach "automatically create, in response to receiving the work information associated with at least one message determined by the dispatcher to be associated with a work assignment, a work item

associated with the at least one message based at least in part upon the work information associated with the at least one message determined by the dispatcher to be associated with a work assignment, wherein the work item comprises an owner identifier”, Examiner respectfully disagrees. Northcutt explicitly teaches “create, in response to receiving the work information associated with at least one message determined by the dispatcher to be associated with a work assignment, a work item associated with the at least one message based at least in part upon the work information associated with the at least one message determined by the dispatcher to be associated with a work assignment, wherein the work item comprises an owner identifier” (see ¶ 65; where a manager assigns the work item to a person responsible to complete the work assignment. The work management person receives an email (message) of a submitted request for service, determines an appropriate technology personnel to perform the requested service, and assigns the request for service to the technology personnel to perform.). Applicants distinguish a work item and a work assignment by defining a work item to be created as work to be performed, whereas a work assignment is work that is requested (see Remarks page 9). Thus, in Northcutt, the RFS is the work assignment and the creation of a RFS assigned to a technician is the work item. Applicants’ amendments and arguments regarding the feature of “automatically” performing this step is addressed in the rejection below.

In response to Applicants’ argument Northcutt fails to teach “the work item comprises an owner identifier”, where the work item is distinguished from a work assignment, Examiner respectfully disagrees. As discussed in the rejection below,

Northcutt teaches that a request for service (RFS) is submitted to a manager via email, the manager determines an appropriate technology person to perform the RFS, and then assigns the RFS to the technology person (see Northcutt paragraph 65). Thus, the technology person is the owner of the work item. The distinction of a “work item” and “work assignment” is discussed above and is in accord with this interpretation of the recited claims.

In response to Applicants’ argument Examiner’s taking of Official Notice is improper, Examiner respectfully disagrees. First, Applicants’ argument regarding the Official Notice is moot because per the Office Action dated April 12, 2007, the feature to “determine if any of a plurality of messages is associated with a work assignment” is taken as admitted prior art. Second, Applicants have again, failed to adequately traverse Examiner’s taking of official notice. Applicants’ mere demand for documentary evidence fails to even hint towards any suggestion that the step to “determine if any of a plurality of messages is associated with a work assignment” is not notoriously old and well-known in the art. Applicants have again failed to provide any argument or evidence to suggest the feature to “determine if any of a plurality of messages is associated with a work assignment” is not old and well-known in the art. To adequately traverse such a finding, an Applicants must specifically point out the supposed errors in the examiner’s action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b). See also Chevenard, 139 F.2d at 713, 60 USPQ at 241. See MPEP 2143(C). Examiner maintains that the

feature to “determine if any of a plurality of messages is associated with a work assignment” is admitted prior art.

In response to Applicants’ argument that there is no motivation to modify Northcutt, Examiner respectfully disagrees. Applicants’ first argue there is no teaching in Northcutt to suggest a modification to Northcutt and argue second that Examiner has not provided a motivation to modify Northcutt. In response to Applicants’ first argument, Northcutt sets to solve the problem of properly managing information (see Northcutt paragraph 2), thereby providing the requisite motivation to modify Northcutt in a manner to facilitate the proper management of information. Additionally, as discussed in the *KSR International Co. v. Teleflex Inc. et al.*, 550 U.S. ____ (2007), “[o]ften, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis should be made explicit. See *In re Kahn*, 441 F. 3d 977, 988 (CA Fed. 2006) (‘[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness’). As our precedents make clear, however, the analysis need not seek out precise teachings directed to the specific subject matter of the challenged claim, for a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ” (emphasis

added). Here, even if Northcutt does fail to provide the precise teachings, one of ordinary skill in the art that would set forth to solve the problem of properly managing information employing a work order system would be motivated to take the step to “determine if any of a plurality of messages is associated with a work assignment”. In response to Applicants’ second argument that Examiner has not provided a motivation to modify Northcutt, Examiner has provided a distinct advantage to modify Northcutt. Applicants are again reminded that the strongest rationale for modifying or combining references is a recognition, expressly or impliedly in the prior art or drawn from a convincing line of reasoning based on established scientific principles or legal precedent, that some advantage or expected beneficial result would have been produced by their combination. *In re Sernaker*, 702 F.2d 989, 994-95, 217 USPQ 1, 5-6 (Fed. Cir. 1983). See *MPEP 2144*.

In response to Applicants’ argument Examiner has employed impermissible hindsight reconstruction of Applicants’ claims, Examiner respectfully disagrees. It must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant’s disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In response to Applicants’ argument that a link “to at least one of the evaluation, the recording, and the survey” is functional, Examiner respectfully disagrees. Examiner

maintains that regardless of the destination of the link in the message, the recited method steps would be performed the same regardless of the specific data. Further, the structural elements remain the same regardless of the specific data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106. Applicants have made broad allegations that Examiner has simply failed to address all of the claim limitations, however, Applicants have failed to even respond to Examiner's rejection of the limitation on non-functional grounds. Applicants' have failed to set forth any argument or evidence of how a link "to at least one of the evaluation, the record, and the survey" will functionally distinguish the present invention over prior art in terms of patentability. Examiner is confused as to Applicants' discussion on "printed matter", since Examiner has made no such interpretation of the claims. Thus, Applicants' citation of *In re Lowry* in support of their contention that a link to specifically "at least one of the evaluation, the record, and the survey" is incorrect.

In response to Applicants' argument Northcutt fails to teach "work item further comprises a second link to at least one application used to perform the work assignment", Examiner respectfully disagrees. Examiner maintains that Northcutt explicitly teaches "work item further comprises a second link to at least one application used to perform the work assignment" (see Northcutt ¶¶ 60-63; where users are provided with an interface enabling them to link to resources and tools to perform modifications or additions to the work assignment.). Applicants argue that performing

modifications or additions to the work assignment is distinguished from performing the work assignment. However, Northcutt explicitly teaches that the second link takes a user to information for instruction and information (see Northcutt ¶¶ 60-63). This is explicitly the same as enabling a user to perform the work assignment.

In response to Applicants' argument Northcutt fails to teach a "call center environment", Examiner respectfully disagrees. The system being adapted to a "call center environment" is irrelevant since the intended use does not change the overall functionality of the system. The intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). Applicants have failed to set forth any argument or evidence that the intended field of use will result in a manipulative difference as compared to the prior art.

In response to Applicants' argument Northcutt fails to teach every limitation in claim 12 and Examiner improperly read limitations from the Specifications into the claim, Examiner respectfully disagrees. Examiner maintains the previously asserted response to this argument. As per claim 12, Northcutt teaches "launch at least one application based upon the second link" (see ¶¶ 60-63; where users are provided with an interface enabling them to link to resources and tools to perform modifications or additions to the work assignment.). Northcutt et al. fail to explicitly teach a "collaboration server having a plurality of work folders associated with a plurality of owners". A collaboration server "comprises any suitable combination of hardware and software that runs MICROSOFT EXCHANGE, LOTUS NOTES, NOVELL GROUPWISE, or any other suitable

communications software that provides an arrangement of work folders and/or administrative folders" (see Specification page 10). If collaboration server is running MICROSOFT OUTLOOK, work folders may comprise public folders that link to a task list, a calendar, an inbox, or any other suitable component or tool of MICROSOFT OUTLOOK" (see specification page 10). Ouchi et al., in an analogous art, teach a "collaboration server having a plurality of work folders associated with a plurality of owners" (see ¶ 4, 150, 62-63, and 162 - 163; where the workflow system uses software that runs Microsoft Exchange or Lotus Notes. Each owner has a unique email address that specifies an in-box for each user. Users have in-boxes and outboxes, which are folders associated with those users.). The advantage of this feature is that it facilitates communication with remote users in that they only need simple email programs such as Microsoft Outlook. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of a "collaboration server having a plurality of work folders associated with a plurality of owners" taught by Ouchi et al. with the Northcutt et al. system in order to facilitate communication with remote users, which is a goal of Ouchi et al. (see ¶ 4). Claim 12 further recites the limitation to "retrieve at least one of the evaluation, the recording, or the survey based on the first link" which is already addressed by the rejection of claim 10; therefore the same rejection applies to this claim.

In response to Applicants' argument Examiner improperly read limitations from the Specifications into the claim as per claim 12, Examiner respectfully disagrees. Examiner maintains the previously asserted response to this argument. Pending claims

are “given their broadest reasonable interpretation consistent with the specification.”

See *Phillips v. AWH Corp.*, 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005) and MPEP 2111. Examiner interpreted a collaboration server to be a combination of hardware and software with suitable communications software that provides an arrangement of work folders and/or administrative folders. Examiner submits that this interpretation is both reasonable and consistent with the Specification.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-11, 24-34, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Northcutt et al. (U.S. Patent Publication No. 20030126001).

As per claim 1, Northcutt et al. teach:

A system for processing work items, comprising:

a dispatcher operable to (see ¶¶ 10, 12, and 13; where a centralized workflow management system collects and dispatches work items to members.):

receive a plurality of messages (see ¶ 10; where the system is enabled to receive input regarding work items. Users of the system submit requests for service, in the form of a message.); and

an active work server communicatively coupled to the dispatcher and operable to (see ¶¶ 10, 12, and 13; where the workflow management system serves as an active work server.);

receive work information associated with at least one message determined by the dispatcher to be associated with a work assignment (see ¶ 65; where a manager receives information submitted by a requestor for work to be done. This information received is work information and is associated to an RFS, the work assignment.);

create, in response to receiving the work information associated with at least one message determined by the dispatcher to be associated with a work assignment, a work item associated with the at least one message based at least in part upon the work information associated with the at least one message determined by the dispatcher to be associated with a work assignment, wherein the work item comprises an owner identifier (see ¶ 65; where a manager assigns the work item to a person responsible to complete the work assignment. The work management person receives an email (message) of a submitted request for service, determines an appropriate technology personnel to perform the requested service, and assigns the request for service to the technology personnel to perform.); and

communicate the work item to an owner associated with the owner identifier (see ¶ 65; where the work assignment is communicated to the person deemed responsible for completing that work assignment. The communication can be done via email.).

Northcutt et al. fail to explicitly teach to “determine if any of the plurality of messages is associated with a work assignment”. It is old and well-known in the art to “determine if any of a plurality of messages is associated with a work assignment”. The advantage of this feature is that it enables the proper organization of information in that the appropriate personnel are associated with the appropriate information. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature to “determine if any of a plurality of messages is associated with a work assignment” with the Northcutt et al. system in order to facilitate the proper management of information, which is a goal of Northcutt et al. (see ¶ 2).

Northcutt further fails to teach that the entire process is fully automated (i.e. the recited steps are automatically performed). Examiner takes Official Notice that it is old and well-known in the art to automate a known manual process. Examiner further submits that it is within ordinary skill in the art to automate a known manual activity. The advantage of automating this process is that automation eliminates any possible human error in the process and performs the processes more quickly. It was known at the time of the invention that merely providing an automated way to replace a well-known activity which accomplishes the same result is not sufficient to distinguish over the prior art and thus it has been held that the automation of a manual process is within ordinary skill level in the art. *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958). It would have been obvious, at the time of the invention, to one of ordinary skill in the art to automate the known manual steps or processes taught by Northcutt in order to perform the processes quicker and eliminate the possibility of human error.

As per claim 2, Northcutt et al. teaches the use of messages as discussed in claim 1, but does not expressly teach the specific data regarding type of session the message is associated with ; however, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific data. Further, the structural elements remain the same regardless of the specific data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

As per claim 3, Northcutt et al. teach:

The system of claim 1, wherein each message comprises work information if it is associated with a work assignment (see ¶ 65; where each message or RFS submitted is associated with a work request or assignment.).

As per claim 4, Northcutt et al. teach:

The system of claim 1, wherein the work information further comprises work instructions to perform the work assignment (see ¶¶ 65 and 67-69; where each submitted work request contains specific information on the work to be completed. The manager or IT person involved line items specific instructions relating to cost. Furthermore, task information may be entered.).

As per claim 5, Northcutt et al. teach:

The system of claim 4, wherein the work item further comprises the work instructions (see ¶¶ 65 and 67-69; where each submitted work request contains specific information on the work to be completed. The manager or IT person involved line items specific instructions relating to cost. Furthermore, task information may be entered.).

As per claim 6, Northcutt et al. teach:

The system of claim 1, wherein the work information further comprises a work type (see ¶ 66; where the work information has a category code, which is the same as a work type.).

As per claim 7, Northcutt et al. teach:

The system of claim 6, wherein the work item further comprises the work type (see ¶ 67; where the work information is broken down in to categories and each category has a category code and cost associated with it. The category code is the same as a work type.).

As per claim 8, Northcutt et al. fails to teach “wherein the work assignment is associated with at least one of: completing an evaluation, reviewing a recording; and reviewing a survey”. Examiner takes official notice that it is old and well-known in the art to associate a work assignment with "completing an evaluation, reviewing a recording, and reviewing the survey". The advantage of such features is that they enable the full completion of a work assignment. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to associate a work assignment

with "completing an evaluation, reviewing a recording, and reviewing the survey" in order to enable the full completion of a work assignment.

As per claim 9, Northcutt et al. teach:

The system of claim 8, wherein the work information further comprises a link to the received message (see ¶¶ 66 and 68; where a link is communicated to the owner of a RFS and to the submitter of the RFS.).

Claim 9 further recites limitations already addressed by the rejection of claim 2; therefore the same rejections apply to this claim.

As per claim 10, Northcutt et al. teach "the work item further comprises a first link to the received message" (see ¶¶ 66 and 68; where a link is communicated to the owner of a RFS and to the submitter of the RFS.). Claim 10 further recites limitations already addressed by the rejection of claim 2; therefore the same rejections apply to this claim.

As per claim 11, Northcutt et al. teach:

The system of claim 10, wherein the work item further comprises a second link to at least one application used to perform the work assignment (see ¶¶ 60-63; where users are provided with an interface enabling them to link to resources and tools to perform modifications or additions to the work assignment.).

Claims 24-34 are for a method reciting the same limitations already rejected under the system claims of 1-11; therefore the rejections of claims 1-11 are applied to claims 24-34.

As per claim 38, Northcutt teaches "A system for processing work items in a call center environment, comprising: A dispatcher operable to" (see ¶¶ 10, 12, and 13;

where a centralized workflow management system collects and dispatches work items to members.): “Receive a plurality of messages each comprising a session summary associated with a session between a call center representative of the call center and a caller to the call center” (see ¶ 10; where the system is enabled to receive input regarding work items. Users of the system submit requests for service, in the form of a message. The messages are a summary of the work requested and a service representative can add or modify information to the request. This active message serves as a summary of the interactions between the requestor and the service representatives.); “and An active work server communicatively coupled to the dispatcher and operable to: Receive work information associated with at least one message determined by the dispatcher to be associated with a work assignment” (see ¶ 65; where a manager receives information submitted by a requestor for work to be done. This information received is work information and is associated to an RFS, the work assignment.); “Create a work item associated with the at least one message based at least in part upon the work information, wherein the work item comprises an owner identifier” (see ¶ 65; where a manager assigns the work item to a person responsible to complete the work assignment.); “and Communicate the work item to an owner associated with the owner identifier for performance of the work assignment associated with the work item” (see ¶ 65; where the work assignment is communicated to the person deemed responsible for completing that work assignment. The communication can be done via email.). Claim 38 further recites the limitation “Determine if any of the plurality of messages is associated with a work assignment, a work assignment

comprising one or more of completing an evaluation of a session, reviewing a recording associated with a session, and reviewing a survey associated with a session" and the automation of the process steps which have already been addressed by the rejections of claims 1, 2, and 8; therefore the same rejections apply to this claim as well.

7. Claims 12-18 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Northcutt et al. (U.S. Patent Publication No. 20030126001) in view of Ouchi et al. (U.S. Patent Publication No. 20030023675).

As per claim 12, Northcutt teaches "lauch at least one application based upon the second link" (see ¶¶ 60-63; where users are provided with an interface enabling them to link to resources and tools to perform modifications or additions to the work assignment.). Northcutt et al. fail to explicitly teach a "collaboration server having a plurality of work folders associated with a plurality of owners". A collaboration server "comprises any suitable combination of hardware and software that runs MICROSOFT EXCHANGE, LOTUS NOTES, NOVELL GROUPWISE, or any other suitable communications software that provides an arrangement of work folders and/or administrative folders" (see Specification page 10). If collaboration server is running MICROSOFT OUTLOOK, work folders may comprise public folders that link to a task list, a calendar, an inbox, or any other suitable component or tool of MICROSOFT OUTLOOK" (see specification page 10). Ouchi et al., in an analogous art, teach a "collaboration server having a plurality of work folders associated with a plurality of owners" (see ¶ 4, 150, 62-63, and 162 - 163; where the workflow system uses software that runs Microsoft Exchange or Lotus Notes. Each owner has a unique email address

that specifies an in-box for each user. Users have in-boxes and outboxes, which are folders associated with those users.). The advantage of this feature is that it facilitates communication with remote users in that they only need simple email programs such as Microsoft Outlook. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of a “collaboration server having a plurality of work folders associated with a plurality of owners” taught by Ouchi et al. with the Northcutt et al. system in order to facilitate communication with remote users, which is a goal of Ouchi et al. (see ¶ 4). Claim 12 further recites the limitation to “retrieve at least one of the evaluation, the recording, or the survey based on the first link” which is already addressed by the rejection of claim 10; therefore the same rejection applies to this claim.

Claim 13 recites limitations already addressed by the rejection of claim 12; therefore the same rejection applies to this claim.

As per claim 14, Northcutt et al. fail to explicitly teach the work folder is operable to store the work item. Ouchi et al., in an analogous art, teach working folders operable to store work items (see ¶¶ 62-63, 130, 150, and 162 – 163; where users can store the work items in their in-boxes. The email system further stores sent emails in order to recover lost emails.). The advantage of this feature is to facilitate communication with offline and remote users. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of the work folder operable to store the work item taught by Ouchi et al. with the Northcutt et al. system in order to facilitate communication with offline and remote users, which is a goal of Ouchi et al. (see ¶ 4).

As per claim 15, Northcutt et al. fail to explicitly teach a “the collaboration server is operable to present the work item to the owner using a communication tool”. Ouchi et al, in an analogous art, teach “the collaboration server is operable to present the work item to the owner using a communication tool” (see ¶ 4, 62-63, and 162 - 163; where the workflow system uses software that runs Microsoft Exchange or Lotus Notes. Microsoft Exchange or Outlook and Lotus Notes are communication tools.). The advantage of this feature is to facilitate communication with offline and remote users. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of “the collaboration server is operable to present the work item to the owner using a communication tool” taught by Ouchi et al. with the Northcutt et al. system in order to facilitate communication with offline and remote users, which is a goal of Ouchi et al. (see ¶ 4).

As per claim 16, Northcutt et al. fail to explicitly teach the “collaboration server is operable to organize a plurality of work items associated with a particular owner”. Ouchi et al., in an analogous art, teach the “collaboration server is operable to organize a plurality of work items associated with a particular owner” (see ¶¶ 62-63, 130, 150, and 162 – 163; where users can store the work items in their in-boxes. The user is enabled to operate a plurality of sorts on the items within the in-box to determine a priority order. One such sort is sorting by date.). The advantage of this feature is again to facilitate communication with remote users. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of the “collaboration server is operable to organize a plurality of work items associated with a particular

owner" taught by Ouchi et al. with the Northcutt et al. system in order to facilitate communication with remote users, which is a goal of Ouchi et al. (see ¶ 4).

As per claim 17, Northcutt et al. fail to explicitly teach the "active work server is operable to create a work folder for the owner indicated by the owner identifier" and "further operable to communicate the work item to the created work folder". Ouchi et al, in an analogous art, teach "active work server is operable to create a work folder for the owner indicated by the owner identifier" (see ¶ 4, 150, 62-63, and 162 - 163; where the workflow system uses software that runs Microsoft Exchange or Lotus Notes. Each owner has a unique email address that specifies an in-box for each user. Users have in-boxes and outboxes, which are folders associated with those users.) and "further operable to communicate the work item to the created work folder" (see ¶ 4, 150, 62-63, and 162 – 163; where work items are communicated via email.). The advantage of these features is to facilitate communication with offline and remote users. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the features of "active work server is operable to create a work folder for the owner indicated by the owner identifier" and "further operable to communicate the work item to the created work folder" taught by Ouchi et al. with the Northcutt et al. system in order to facilitate communication with offline and remote users, which is a goal of Ouchi et al. (see ¶ 4).

As per claim 18, Northcutt teaches a web server operable to exclude outsiders from reaching sensitive information (see ¶ 77; where the system can be run on the web enabled to restrict access to outsiders.). Northcutt et al. fail to explicitly teach to "verify

the identity of an owner" and "provide the owner access to an associated work folder via the user agent, in response to verifying the identity of the owner". It is old and well-known in the art to authenticate users' access to a system and direct the user to information or date associated with the user. The advantage of authenticating users and redirecting them to information associated to them is that it provides an additional layer of information security. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the features of "verify the identity of an owner" and "provide the owner access to an associated work folder via the user agent, in response to verifying the identity of the owner" with the Northcutt et al. system in order to provide an additional layer of information security, which is a goal of Northcutt (see ¶ 77).

Claims 35-37 are for a method reciting the same limitations already rejected under the system claims of 12, 14, and 17; therefore the rejections of claims 12, 14, and 17 are applied to claims 35-37.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571)272-5880. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

kd

/Scott L Jarrett/

Primary Examiner, Art Unit 3623